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Counsel for the Foreign Representative

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

PERFORADORA ORO NEGRO,
S. DE R.L. DE C.V., *et al.*

Debtors in a Foreign Proceeding.

GONZALO GIL-WHITE, PERSONALLY
AND IN HIS CAPACITY AS FOREIGN
REPRESENTATIVE OF PERFORADORA
ORO NEGRO, S. DE R.L. DE C.V. AND
INTEGRADORA DE SERVICIOS
PETROLEROS ORO NEGRO, S.A.P.I. DE
C.V.

Plaintiff,

-against-

ALP ERCIL; ALTERNA CAPITAL
PARTNERS, LLC; AMA CAPITAL

BK Case No. 18-11094 (SCC)
(Jointly Administered) (Chapter 15)

Adversary Case No. 19-01294 (SCC)

PARTNERS, LLC; ANDRES
CONSTANTIN ANTONIUS-GONZÁLEZ;
ASIA RESEARCH AND CAPITAL
MANAGEMENT LTD.; CQS (UK) LLP;
FINTECH ADVISORY, INC.; DEUTSCHE
BANK MÉXICO, S.A.; INSTITUCIÓN DE
BANCA MÚLTIPLE; GARCÍA
GONZÁLEZ Y BARRADAS ABOGADOS,
S.C.; GHL INVESTMENTS (EUROPE)
LTD.; JOHN FREDRIKSEN; KRISTAN
BODDEN; MARITIME FINANCE
COMPANY LTD.; NOEL BLAIR HUNTER
COCHRANE, JR; ORO NEGRO PRIMUS
PTE., LTD.; ORO NEGRO LAURUS PTE.,
LTD.; ORO NEGRO FORTIUS PTE., LTD.;
ORO NEGRO DECUS PTE., LTD.; ORO
NEGRO IMPETUS PTE., LTD.; PAUL
MATISON LEAND, JR.; ROGER ALAN
BARTLETT; ROGER ARNOLD
HANCOCK; SEADRILL LIMITED; SHIP
FINANCE INTERNATIONAL LTD.; and
DOES 1-100

Defendants.

DECLARATION OF ALFONSO LÓPEZ-MELIH

I, Alfonso López-Melih, pursuant to 28 U.S.C. § 1746, hereby declare under penalty of perjury that the following is true and correct to the best of my knowledge and belief:

1. I am a Mexican attorney and I specialize in insolvency disputes and commercial litigation. I have been practicing law for approximately 30 years and my practice has always focused on disputes arising from or related to situations of insolvency. Throughout my career, I have represented companies and individuals, as creditors, debtors or parties in interest, in over 100 insolvency proceedings in Mexico and related commercial disputes. My clients have included Mexican and foreign individuals and corporations, including publicly traded corporations, as well as the Mexican government, including the Federal Electric Commission (*Comisión Federal de*

Electricidad) Mexico's power regulator. A copy of my C.V., in English, is attached as Exhibit 1 to this declaration.

2. In 1990, I received my law degree from the National Autonomous University of Mexico (*Universidad Nacional Autónoma de México*), a university in Mexico City and one of the largest in the country. Since then, I have practiced as a litigator specializing in Mexican civil, commercial and administrative law, including insolvency disputes. Prior to establishing my own firm in 2007, I was a founding partner of the firm Quijano, Cortina, López y de la Torre, S.C., a litigation law firm.

3. In 2007, after approximately 17 years of practice, I founded López Melih y Estrada, S.C., a litigation law firm in Mexico City focused on commercial litigation and arbitration and antitrust. Currently, I am the firm's managing partner and head its insolvency, commercial litigation and administrative disputes practices.

4. I have previously provided declarations and expert testimony on Mexican law in U.S. court proceedings, including in the underlying Chapter 15 proceeding *In re Perforadora Oro Negro, S. de R.L. de C.V.*, No. 18-11094 (Bankr. S.D.N.Y.).

5. I am providing this declaration in support of the Plaintiffs' Response to the Motions to Dismiss by filed by the Ad Hoc Group Defendants, Seamex Defendants, and Singapore Defendants (the "Response").¹

6. I am generally aware of the insolvency, civil and criminal proceedings in Mexico involving Integradora, Perforadora and certain of its executives, directors and employees.

7. This declaration provides an overview of Mexican civil procedure and tort law.

¹ See ECF 18, 22, 26, and 29. Capitalized terms not otherwise defined herein shall have the meaning ascribed to them in the Response.

8. Under Mexican law, statutes are the primary source of legal authority. Case law is not necessarily binding and is more of an aid to interpret and apply statutes.

I. GLOBAL ASSESSMENT OF MEXICAN JUDICIAL SYSTEM

9. This matter involves multiple defendants from across the world, foreign law issues, and witnesses and documents located mainly outside of Mexico. In my experience, litigating a similar case like this in Mexico, including through appeals and collateral challenges (such as *amparos*), could take several years. Even an average case (i.e., one with significantly fewer complexities) lasts approximately four years.

10. Complex Mexican cases last a long time in part because Mexican law allows litigants or any third party (for example, a third party that is compelled to provide documents or testimony or that has some sort of interest in the litigation or its outcome) to file a collateral constitutional claim called an “*amparo*” against most court decisions. *Amparo* decisions are themselves in many cases appealable.

11. As of 2018, courts took an average of 157 days to decide an *amparo*, excluding appeal.² If the parties litigated this case in Mexico, the parties would likely file several *amparos* throughout the entire case. Collectively, if every defendant and plaintiff filed approximately 50 *amparos* (less than two per party during the entire case, which would be very low), this action would likely last in excess of several years.

12. In addition, federal judges in Mexico are overburdened. As of 2018, judges in Federal District Courts (equivalent to U.S. District Courts), which would have jurisdiction over this matter, had on average 1,691 cases pending in his or her docket.³

² *Indicadores Estadísticos Judiciales*,
https://www.dgepj.cjf.gob.mx/Indicadores/acuerd_nal_ini.asp?ano=2018&torid=4&nivel=5&indicador=19&anio=2018&tor=4&niv=5&ind=&mostrar=1

³ *Id.*

II. JURISDICTION OF MEXICAN COURTS

13. Mexican courts cannot exercise jurisdiction over (a) non-resident defendants or for conduct that did not occur in Mexico; or (b) disputes arising from or related to contracts in which the parties have agreed to submit to foreign courts.

14. Pursuant to article 1104 of the Commercial Code, Mexican courts will have jurisdiction if (a) the defendant has selected a place in Mexico for the collection of a debt; (b) it is a contractual dispute and the contract was signed in or the parties must perform in Mexico; and (c) the defendant is domiciled in Mexico (in the case of companies, the domicile is the principal place of business).

15. Moreover, pursuant to article 1107 of the Commercial Code, if there is no appointed domicile, Mexican courts will have jurisdiction if: (a) it is an *in personam* action and the contract was signed in Mexico; or (b) it is an *in rem* action and the asset is located in Mexico. As a result, there is no basis for a Mexican court to assert jurisdiction over a non-resident defendant or for conduct that did not occur in Mexico.

16. Pursuant to article 1092 of the Commercial Code, a Mexican court does not have jurisdiction to resolve a dispute where the parties have validly subjected themselves to the exclusive jurisdiction of a foreign court.

III. CHOICE OF LAW IN MEXICAN COURTS

A. Overview

17. Mexican courts will apply Mexican law to resolve a case when it involves individuals or entities located in Mexico and/or when the acts at issue took place in Mexico.

18. However, Mexican law provides that Mexican courts must apply foreign law to (a) resolve a case when the “legal situations” at issue were created abroad (i.e., in tort cases, where the

harmful conduct took place) (*id.* art. 13.I), provided that the applicable foreign law does not offend Mexican public policy (*principios de orden público*) (*id.* art. 15); or (b) determine whether a foreign entity is liable (*id.* art. 2736).

19. Accordingly, if this litigation were brought in Mexico, a Mexican court would likely apply United States law to resolve it because the complaint alleges conduct that took place outside of Mexico (including in the United States), and because all but three of the defendants are foreign, non-Mexican entities (including based in or incorporated in the United States).

20. It is complicated and time-consuming for a Mexican court to apply foreign law, because the parties (a) must identify and provide the relevant statutes and cases to the court; and (b) likely must rely on foreign law experts to explain to the Mexican court how to apply foreign law.

B. Legal Situations Created Abroad

21. Pursuant to article 12 of the Federal Civil Code, a Mexican court must apply the law of the place where the underlying facts took place. Accordingly, a Mexican court must apply foreign law to resolve the case if the underlying facts took place abroad. *Id.* art. 13.I. For this reason, if a complaint in a tort case alleges that tortious conduct took place in the United States, the law of the jurisdiction where the conduct took place, i.e., the United States, will govern the case.⁴

C. Liability of Foreign Entities

22. Pursuant to article 2736 of the Federal Civil Code, the liability of a foreign entity is governed by the laws of its place of incorporation. Consistent with this, Mexican courts have held that in a case where the liability of a foreign entity is at issue, the law of the jurisdiction where the entity is incorporated applies.⁵

D. Application of Foreign Law

⁴ See, e.g., Registry No. 2011206; Registry No. 2004171; Registry No. 358518; Registry No. 363644.

⁵ See Registry No. 2004333.

23. When foreign law applies in a Mexican court, the parties must provide the Mexican court with the relevant foreign statutes and cases, and thus likely must rely on experts to identify the relevant statutes and cases and to explain to the Mexican court how to apply them. *See* Federal Commercial Code, arts. 1194, 1197.

IV. **EVIDENCE IN MEXICAN PROCEEDINGS**

24. It is challenging if not impossible for parties in a Mexican civil litigation to investigate or develop the facts of the case. Rather, they must rely only on evidence that is currently in their possession when they file the lawsuit or the answer. In addition, any evidence they exchange would also be public, harming their respective privacy interests.

25. According to the Federal Code of Civil Procedure and the Commercial Code, a civil case in Mexico has two primary phases: (a) a pleading phase; and (b) an evidentiary phase.

26. In the pleading phase, (a) the plaintiff files the complaint and, after a cursory review to determine that it is not “obscure or irregular,” the court decides whether to admit it; and (b) the defendant answers the complaint and may also file a counterclaim.

27. The evidentiary phase starts after the defendant answers the complaint or files a counterclaim. In this phase, the parties submit documents and present witnesses to the court in support of the complaint and the answer, and the court analyzes the evidence and issues a judgment.

28. There is no equivalent of U.S. discovery in Mexican litigation. Parties in a Mexican litigation may not investigate or develop the facts during the case and, to prove their case, must rely almost exclusively on documents in their possession and on witnesses they know of when filing their pleadings.

29. Additionally, the documentary and testimonial evidence that the parties exchange during the evidentiary phase is public. There is no equivalent of U.S.-style protective or confidentiality orders in Mexican litigation.

30. A plaintiff may only use as evidence the documents it attaches to the complaint. Accordingly, a plaintiff cannot use as evidence documents it did not possess at the time of filing. A plaintiff may use as evidence documents not attached to the complaint when (a) it uses them to respond to a factual defense set forth in the answer; (b) the document did not exist when it filed the complaint; or (c) the plaintiff did not know the document existed when it filed the complaint.

31. If a plaintiff intends to use a document as evidence but does not possess it at the time of filing the complaint, the plaintiff must specifically identify the document, and the location of the original, in the complaint. The plaintiff may ask the court to compel production from whomever has the original (either a third party or the defendant). If the document is located abroad, the court must issue a letter rogatory seeking the assistance of a foreign court to obtain it.

32. All parties in a Mexican commercial litigation must furnish a complete list of all their witnesses from the initial claim and answer, and they must properly include them among their evidence within 15 days after the Court opens the evidentiary phase.

V. Torts

33. The Mexican Commercial and Civil Codes, the statutes that govern private disputes, do not contain or set forth particular types of torts that may give rise to liability.

34. Instead, Mexican law recognizes a general rule of liability under a broad tort statute, codified at Article 1910 of the Federal Civil Code. Article 1910 provides that:

Whoever, by acting illicitly or against the good customs and habits, causes damage to another shall be obligated to compensate him unless he can prove that the damage was caused as a result of the fault or inexcusable negligence of the victim.

35. Article 1910 has an identical parallel in the Mexico City Civil Code, and the two are treated the same for the purposes of this declaration.

36. Therefore, according to Article 1910, a person may be liable for conduct that is either in violation of the law (i.e., in violation of a specific statute) or against “good customs.” Article

1910 does not limit the type of illegal conduct that may form the basis for liability, which means that any sort or type of unlawful conduct results in liability. The elements of tort liability are conduct, causation and damages. The court will determine the damages (and may ask for assistance from a court-appointed expert) in the judgment. Mexican courts have said that liability is triggered as a result of any “conduct that is contrary to the law in a broad sense or against good customs . . .”⁶

37. Liability may be triggered by any violation of law, including a violation of another section of the Federal Civil Code, including Article 1916.

38. “Good customs” is a broad concept under Mexican law that is subject to the discretion and judgment of the court. The Mexican Supreme Court has explained the concept as follows:

Anything that hurts morality is contrary to good customs, and jurisprudence has slowly considered that there is a criterion of morality in the society and that the social environment constitutes the source of good custom. Therefore, it is not necessary to give a precise definition of ‘good customs’ because no legislature is going to do this but leave it to the wisdom of the courts.⁷

39. Thus, any conduct that violates the moral values of society at a given time and in an given context may be a violation of good customs. This can include conduct that is in violation of public policy, but may also include conduct that, while not criminal or contrary to an express law or statement of policy, is nevertheless, in the discretion of the court, morally improper.

40. I know of no law nor any court decision concluding that a party only commits a tort when it violates a specific statute of Mexican law.

⁶ Tesis IV.1o.C69.C, Primer Tribunal Colegiado en Materia Civil Del Cuarto Cicuito, Seminario Judicial de la Federación y su Gaceta, Novena epoca, 174180, Tomo XXIV, Septiembre 2006.

⁷ Amparo civil directo 476/54, *Illiades viuda de Ize Elena*, 25 de octubre de 1954, No. 340485, Tercera Sala, Quinta Época, Semanario Judicial de la Federación, Tomo CXXII, Pág. 581 (*BUENAS COSTUMBRES. Las buenas costumbres constituyen un concepto del cual los autores han buscado la precisión y se ha llegado a esta conclusión: todo lo que hiera la moralidad es contrario a las buenas costumbres, y la jurisprudencia poco a poco ha considerado que hay un criterio de moralidad en la sociedad y que es el ambiente social la fuente de aquéllas. De manera que no es necesario precisar con toda exactitud en qué consisten las buenas costumbres porque ningún legislador lo precisa, sino que se deja a la apreciación de los tribunales.*)

A. LCM

41. Insolvency proceedings are based on the federal *Ley de Concursos Mercantiles* (“LCM”).

42. Article 1 of the LCM sets forth the fundamental principles of Mexican insolvency law. Article 1 states that it is in the public interest to “preserve businesses and avoid that the generalized failure to pay debts places the viability of [businesses] at risk.”⁸ Thus, the primary objective of Mexican insolvency law is to restore the debtor to a position where it can resume business as a going concern.

43. The LCM also states that, in order to protect the estate, during the *concurso*, or restructuring process, “there cannot be any foreclosure or execution against the assets if the Merchant.”⁹ This means that no creditor may take any action to dispossess the debtor of its assets or restrict the debtors’ ability to use its assets to reorganize. Any action or attempt to do so, unless presented to and approved by the court presiding over the *concurso*, is illegal.

44. Actions that are intended to undermine a the orderly restructuring of a business contravene the public purpose in favor of facilitating orderly reorganizations.

⁸ *Ley de Concursos Mercantiles* [LCM], Art. 1, [Business Reorganization Law], Diario Oficial de la Federación [DOF], 31 de diciembre de 1969, última reforma Aug. 9, 2019 (Mex.). (*Artículo 1o.- La presente Ley es de interés público y tiene por objeto regular el concurso mercantil. Es de interés público conservar las empresas y evitar que el incumplimiento generalizado de las obligaciones de pago ponga en riesgo la viabilidad de las mismas y de las demás con las que mantenga una relación de negocios. Con el fin de garantizar una adecuada protección a los acreedores frente al detrimento del patrimonio de las empresas en concurso, el juez y los demás sujetos del proceso regulado en esta Ley deberán regir sus actuaciones, en todo momento, bajo los principios de trascendencia, economía procesal, celeridad, publicidad y buena fe.*).

⁹ *Id.*, Art. 65 (*Artículo 65.- Desde que se dicte la sentencia de concurso mercantil y hasta que termine la etapa de conciliación, no podrá ejecutarse ningún mandamiento de embargo o ejecución contra los bienes y derechos del Comerciante. Cuando el mandamiento de embargo o ejecución sea de carácter laboral, la suspensión no surtirá efectos respecto de lo dispuesto en la fracción XXIII, del apartado A, del artículo 123 constitucional y sus disposiciones reglamentarias, considerando los salarios de los dos años anteriores al concurso mercantil; cuando sea de carácter fiscal, se estará a lo dispuesto en el artículo 69 de este ordenamiento.*).

45. Violations of the LCM constitute illegal conduct that may form the basis of tort liability set forth in Article 1910. I know of no law nor any court decision concluding that violations of the LCM cannot form the basis for liability under Article 1910.

B. Criminal Violations

46. Presenting a false document to a government authority, including a court, is a violation of the Federal Criminal Code and the Mexican City Criminal Code.¹⁰ Violations of the Federal Criminal Code and the Mexico City Criminal Code can form the basis of liability set forth in Article 1910.

C. Moral Damages

47. Mexican law allows recovery of moral damages (*daños morales*), an analog to punitive damages, for certain tort claims.

48. While there is no binding precedent mandating an award of moral damages, the concept is relatively new to Mexican law, and there is no authority prohibiting their award for violations of the general tort statute.

Dated: 10/24/2019

Signature: _____

Alfonso López-Melih

¹⁰ See *Código Penal Federal* [CPF], Federal Criminal Code, Art. 248 Bis, Diario Oficial de la Federación [DOF], 14 de agosto de 1931, última reforma 24 junio 2009 (*Al que con el propósito de inculpar a alguien como responsable de un delito ante la autoridad, simule en su contra la existencia de pruebas materiales que hagan presumir su responsabilidad, se le impondrá prisión de uno a cinco años y de cien a trescientos días multa.*); *Código Penal Para el Distrito Federal*, Art. 310, Gaceta Oficial del Distrito Federal, 16 de julio de 2002, 16 de junio de 2016 (*ARTÍCULO 310. Al que para obtener un beneficio indebido para sí o para otro, simule un acto jurídico, un acto o escrito judicial o altere elementos de prueba y los presente en juicio, o realice cualquier otro acto tendiente a inducir a error a la autoridad judicial o administrativa, con el fin de obtener sentencia, resolución o acto administrativo contrario a la ley, se le impondrán de seis meses a seis años de prisión y de cincuenta a doscientos cincuenta días multa. Si el beneficio es de carácter económico, se impondrán las penas previstas para el delito de fraude.*).

Exhibit 1

ALFONSO MARTÍN LÓPEZ MELIH
CURRICULUM VITAE

ALFONSO M. LÓPEZ MELIH was born in Mexico City on June 4, 1965. He is a bankruptcy practitioner with over 25 years of experience representing debtors and creditors in some of the most high profile and complex restructuring matters. He is widely recognized as a leading lawyer in bankruptcy, restructuring, antitrust, arbitration, administrative, commercial and civil litigation in Mexico. Spanish is his native language and he is fluent in English.

Mr. López Melih received his Law degree in 1990 from the *Universidad Nacional Autónoma de México* (UNAM) and since that time has practiced as a litigator specializing in Mexican Civil, Commercial and Administrative Law. From 1989 to 2007, Mr. Lopez Melih was partner of Quijano, Cortina, López y de la Torre, where he began his career in 1984, and where he worked on numerous civil, commercial and administrative cases involving Mexican and foreign entities.

In 2007, he founded the law firm López Melih y Estrada, S.C., where he is in charge of the firm's civil, commercial and administrative practice groups, working on several Mexican and foreign cases.

Mr. López Melih has successfully represented different companies that were subject to the largest business reorganization proceedings that have taken place in Mexico since the new Business Reorganization Law took effect.

He has been recognized as a specialist in Mexican bankruptcy law by the United States Bankruptcy Court for the Southern District of New York and the United States Bankruptcy Court for the Northern District of Texas, Dallas Division.

He has lectured in commercial arbitration matters, bankruptcies, among others, at: the Institute of Legal Research of the UNAM, the Federal Institute of Insolvency Specialists (IFECOM), the Mexican Bar Association, The Council Federal Judiciary, the Supreme Court of Justice of the Nation, the Mexican Association of International and Comparative Law, A.C., the U.S. - Mexico Bar Association, the American Chamber of Commerce, Ernst & Young (Mexico) and Latin Lawyer.

He has been member of the following associations: Mexican Bar Association, B.C. (Secretary of the Committee on Civil Law, 1990 - 1991), National Association of Business Lawyers, AC (Coordinator of the Civil Law Committee, 2005 - 2006), Member of the Litigation Council of the newspaper Reforma (2012-2013).

He is also a Ranked Lawyer in the 2018 edition of Chambers and Partners in Dispute Resolution: Litigation and Bankruptcy/Restructuring.

Mr. López Melih has lectured extensively on Bankruptcy and Business Reorganization Law, as well as on Arbitration and Civil and Access to Public Information Law. Some of his lectures are:

“Efectos de la sentencia de Concurso Mercantil” (The effects of a business reorganization declaration/judgment). Conference at the Instituto de Investigaciones Jurídicas de la Universidad Nacional Autónoma de México (2001).

“Transparencia en la Impartición de Justicia” (Transparency in the administration of justice). Conference sponsored by the newspaper Reforma, the Instituto de Investigaciones Jurídicas de la UNAM and the Law Department of UNAM (2003)

“El Concurso Mercantil” (The Business Reorganization) Conference sponsored by the Barra Mexicana Colegio de Abogados, A.C., the Instituto Federal de Especialistas en Concursos Mercantiles and the Suprema Corte de Justicia de la Nación.

“La Defensa de la Empresa fuera de los tribunales: Medios alternativos para la solución de controversias” (Defending corporations outside of court: Alternate means for dispute resolution) Conference sponsored by the American Chamber of Commerce.

“El arbitraje” (Commercial arbitration) Conference sponsored by the Asociación Mexicana de Derecho Internacional Privado y Comparado, A.C.

“INTRODUCTION TO MEXICO BANKRUPTCY AND SOME CROSS BORDER INSOLVENCY ISSUES” Conference sponsored by the US-Mexico Bar Association (2008).

“A diez años del Régimen de Insolvencia Comercial en Mexico” (10 Years after the commercial insolvency regime in Mexico) Conference sponsored by Ernst & Young Mexico (2010).

“The Mexican Bankruptcy Process, An Overview of the Mexican Business Reorganization Act” Conference sponsored by the US-Mexico Bar Association (2010).

“Practical Consideration of an Out-of-court Restructuring in Mexico” U.S./Mexico Restructuring Symposium, sponsored by the American Bankruptcy Institute.

PROFESSIONAL ACTIVITIES:

Mr. Lopez Melih’s experience in litigation matters related to commercial and financial law derive from his representation and/or participation, in the context of civil and commercial litigation and/or the financial restructuring of several corporations, among them:

Cervecería Moctezuma, S.A. de C.V. (Bankruptcy proceeding)

Eaton Manufacturera, S.A. de C.V. (Bankruptcy proceeding)

Grupo Tribasa, S.A. de C.V. (Business Reorganization Proceeding)

Grupo K-2, S.A. de C.V. (Business Reorganization Proceeding)

Satélites Mexicanos, S.A. de C.V. (Business Reorganization Proceeding)

Controladora Comercial Mexicana, S.A. de C.V. (Business Reorganization Proceeding, representing Costco Wholesale)

Metrofinanciera, S.A. de C.V. Business Reorganization Proceeding)

Televisora del Valle de México, S.A. de C.V. (Business Reorganization Proceeding)

Transportación Marítima Mexicana, S.A. de C.V. (Restructuring)

Sarens, NV (Business Reorganization Proceeding)

The *ad hoc* group of note holders of Vitro, S.A.B. de C.V.

Mexicana de Aviación, S.A Business Reorganization Proceeding).

San Luis Co Inter (Business Reorganization Proceeding.

In addition, he has represented other clients in the context of commercial, administrative, antitrust or civil disputes, among which are included:

América Móvil, S.A.B. de C.V.

Radiomóvil Dipsa, S.A. de C.V. (Telcel)

Teléfonos de México, S.A.B. de C.V.

The Bank of New York, N.A.

Deutsche Bank AG

Comisión Federal de Electricidad

ING Bank, S.A.

Altana AG

Parmalat Canada Inc.

Ericsson Telecom, S.A. de C.V.

Tenaris Tamsa, S.A.

Tubos y Aceros de México, S.A. de C.V.

Operadora Comercial de Desarrollo, S.A. de C.V. (Cinépolis)

Grupo Modelo, S.A.B. de C.V.

Petróleos Mexicanos

UBS Capital Americas LLC

ING (México), S.A. de C.V.

Banco Nacional de México, S.A.

GE Capital CEF México, S. de R. L.

Finally, he has previously been qualified as an expert and given expert testimony on Mexican Law, among others, in the following foreign cases:

United States Bankruptcy Court for the Southern District of New York:

In re Garcia Avila: Case No. 03-14025 (SMB) (Temporary Restraining Order);

Satélites Mexicanos, S.A. de C.V.: Case No. 05-13862 (RDD);

Grupo Tribasa, S.A., Triturados Basálticos y Derivados, S.A. de C.V.: Case 03-14025 (Temporary Restraining Order);

Compañía Mexicana de Aviación, S.A. de C.V.: Case 10-14182 (MG).

The United States Bankruptcy Court for the Northern District of Texas, Dallas Division: In re Vitro, S.A.B. de C.V.: case 11-33335 BANKR. N.D. Texas 2012.

The Circuit Court of the Eleventh Judicial Circuit, in and for Miami-Dade County, Florida: In re Safilo USA, INC.: Case 08-64433 CA 09.

And the High Court of Justice – Business and Property Courts of England and Wales: In re Exportadora de Sal, S.A. de C.V.: CL-2017-000280.

CONTACT INFORMATION:

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